

**Amendments to the Specification:**

Please replace the title as follows:

PHASE MASK FOR FORMING A DIFFRACTION GRATING, GRATING AND  
METHOD OF FABRICATING THE PHASE MASK-AND-METHOD OF FORMING  
DIFFRACTION GRATING

Please replace the paragraph beginning on page 7, lines 33-36, with the following rewritten paragraph:

Generally, the effect of the duty ration-ratio on reducing the influence of zero-order light is the greatest when the duty ratio is one and the effect decreases as the duty ratio changes from one.

Please replace the paragraph beginning on page 11, lines 12-28, with the following two rewritten paragraphs:

Fig. 1A is a sectional view of a phase mask in a first embodiment according to the present invention for forming a diffraction grating, Fig. 1B is a graph showing the relation between the duty ratio of a pattern and position with respect to the direction of the arrow X, Figs. 2A to 2I are sectional views of a workpiece in successive steps of a phase mask fabricating method-of fabricating the phase mask in the first embodiment shown in Fig. 1A, Fig. 1A.

Fig. 3A is a sectional view of a phase mask in a second embodiment according to the present invention for forming a diffraction grating, Fig. 3B is a graph showing the relation between the depth of grooves formed in a pattern and position with respect to the direction of the arrow X, and Figs. 4A to 4H are sectional views of a workpiece in successive steps of a

phase mask fabricating method of fabricating the phase mask in the second embodiment shown in Fig. 3A.

Please replace the paragraph beginning on page 12, lines 9-21, with the following rewritten paragraph:

The phase mask 21 has ~~the-a~~ transparent substrate 110 having one surface provided with a pattern 111P of the plurality of grooves 111. An object for forming an optical medium is irradiated with diffracted UV rays diffracted by the pattern 111P of the grooves 111. The refractive index of the photosensitive part of the object is changed by the agency of interference fringes produced by the interference of diffracted UV rays of different orders. The duty ratio of the pattern 111P is adjusted according to the coordinates of the diffraction grating so that an apodization exposure step can be achieved simultaneously with an exposure step using the phase mask 21 in forming the diffraction grating.